

CLEAN AIR ACT (CAA)

R6-7-19. Compromise, Remittance and Settlement of Administrative Penalties associated with Violations of title II of the Clean Air Act

1. AUTHORITY. Pursuant to title II of the CAA:

- a. To commence an administrative penalty action pursuant to sections 205(c), 211(d) and 213(d), by providing written notice of a proposal to assess a penalty for any violations under sections 203, 211 and/or 213;
- b. To compromise or remit administrative penalties, with or without conditions, which may be imposed pursuant to sections 205(c), 211(d), and 213(d), for any violation under sections 203, 211 and/or 213;
- c. To determine the facts in conjunction with commencing an administrative penalty action and/or compromise or remittance of penalties;
- d. To settle administrative penalty actions under sections 205(c), 211(d) and/or 213(d);
- e. To take all associated actions pursuant to the CAA; and
- f. To determine jointly with the Attorney General the circumstances under which a matter involving a larger penalty than specified in section 205(c) is appropriate for administrative penalty assessment.

2. TO WHOM DELEGATED. Director of the Compliance Assurance and Enforcement Division.

3. LIMITATIONS. No regional limitations.

4. REDELEGATION AUTHORITY.

- a. This authority may not be further redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. SUPERSESSION. This is the initial R6-7-19 delegation.

6. ADDITIONAL REFERENCES.

- a. This delegation does not delegate the Administrator's authority to grant waivers under section 211(f)(4) or issue regulations under section 211.

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- b. For civil judicial actions see the Chapter 7 delegation entitled "Civil Judicial Enforcement Actions" and "Emergency TROs."
- c. For civil administrative actions other than those under title II, see Chapter 7 delegation entitled "Administrative Enforcement Actions."



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

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JAN 19 2017

MEMORANDUM

SUBJECT: Delegations of Authority

FROM: Gina McCarthy

TO: Matthew Fritz, Chief of Staff

On Wednesday, January 18, 2017, I signed a number of revisions to EPA Delegations of Authority. In anticipation of my signature on the revised delegations, and to make certain that there were no lapses in authority, many Regional Administrators and Assistant Administrators signed revised re-delegations consistent with my revisions on January 17, 2017. I hereby accept and ratify any such re-delegations as appropriate re-delegations of authority until otherwise revised or revoked. To the extent that any actions taken under the delegated or re-delegated authority described herein may require ratification, such action is hereby approved and ratified.